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REMARKS

Claims 1-15 are pending in this application. All have been rejected under 35 U.S.C. 103(a) in view of the published application to Muret and the Tsuchida patent. Applicant asks the Office to reconsider this application and allow all of the claims.

As acknowledged by the Office, Muret does not show or suggest a system in which data is loaded from the transaction logs of Internet servers "across plural parallel processing modules" of a database system. Likewise, Muret does not show nor suggest executing "a database query across [such] parallel processing modules" to select all of the data associated with a particular user session. The Office contends, however, that it would have been obvious to one of ordinary skill in the art to apply Muret's technique in a parallel database system like that shown in Tsuchida and thus arrive at Applicant's invention. Applicant disagrees.

To establish a *prima facie* case of obviousness, the Office must show that three basic criteria are met: (1) There is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings; (2) there is a reasonable expectation of success in doing so; and (3) the prior art references when combined teach or suggest all the claim limitations. Even if we assume that the first and third criteria are met by the Muret and Tsuchida references, the Office's position falls apart on the second criterion – reasonable expectation of success.

In particular, distributing the task of "sessionizing" an Internet user's transaction records across the nodes of a parallel database system is no trivial feat, but rather is one that required a great deal of engineering effort on Applicant's part. While Applicant has been able to draw on the native power of a parallel database system and distill the "sessionizing" task to a series of SQL commands that, in end, appear very simple, reaching this result was anything but simple. The level of skill required in discovering which series of SQL commands, executed in which order, would accomplish Applicant's

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goal was more than the ordinary level of skill at the time of Applicant's invention. Put another way, a person of ordinary skill at the time of the invention, having no benefit of Applicant's disclosure, would have had no reasonable expectation of success in attempting to implement Muret's technique in the parallel database system described by Tsuchida. There is certainly nothing appearing in either Muret or Tsuchida that would suggest that the teachings of these references could be combined to produce a system like Applicant's.

In summary, while it is true that Muret shows an Internet sessionizing technique and that Tsuchida shows a parallel database system, a person of ordinary skill in the art would have had no reasonable expectation of success in arriving at Applicant's system from these two. It is only through the elegance of Applicant's own solution, which was the result of a great deal of engineering effort on Applicant's part, that the invention, in hindsight, appears so easily achievable to the Office. As a result, all of the claims are allowable over these references.

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CONCLUSION

All of Applicant's claims are allowable over the art of record. Applicant asks the Office to reconsider this application and allow all of the claims. Please apply any charges that might be due, excepting the issue fee but including fees for extensions of time, to deposit account 50-1673.

Respectfully,

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